

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

BRIEF COMPLIANCE CHECKLIST FOR PRO SE AND ATTORNEY FILERS

The purpose of this document is to provide pro se filers and attorneys practicing before the court with a checklist to assist them in reviewing their briefs for compliance with the Federal Rules of Appellate Procedure, the D.C. Circuit Rules, and the D.C. Circuit Handbook of Practice and Procedures prior to filing their briefs with the court. Elements required by the rules are covered below with specific citation to the corresponding rule(s) for reference purposes. Additional inquiries may be directed to the Clerk's Office by calling (202) 216-7280 or (202) 216-7310.

FORMAT OF BRIEFS

The brief must be on 8 ½ by 11 inch paper. The text must be double-spaced, but quotations more than two lines long may be indented and single-spaced. Headings and footnotes may be single-spaced. Margins must be at least one inch on all four sides. Page numbers may be placed in the margins, but no text may appear there


Fed. R. App. P. 32(a)(4)

The brief may use either a proportionally spaced or a monospaced face and must be set in a plain, roman style, although italics and boldface may be used for emphasis. Case names must be italicized or underlined. If a brief uses a proportionally spaced face, the typeface must be at least 14 point and must include serifs, but sans-serif type may be used in headings and captions. If a brief uses a monospaced face, it may have no more than 10 ½ characters per inch.

Fed. R. App. P. 32(a)(5), (6)

The brief must be bound in any manner that is secure, does not obscure the text, and permits the brief to lie reasonably flat when open.


Fed. R. App. P. 32(a)(5)

 Note: Spiral binding, as opposed to stapling or velo binding, ensures that briefs will lie flat when open. Accordingly, the court prefers spiral binding of briefs and strongly encourages parties to use this method when preparing their briefs. See D.C. Circuit Handbook of Practice and Procedures § IX.A.6.

The front cover of the brief must contain the following items:

D.C. Cir. Rule 28(a)(8);
Fed. R. App. P. 32(a)(2)

- ▶ The date of oral argument or reference to submission without oral argument, whichever is applicable, located in capital letters at the top;
- ▶ The case number centered on the top;
- ▶ The name of the court;
- ▶ The caption of the case;
- ▶ The nature of proceeding and the name of court, agency or board below;
- ▶ The title of the brief, identifying the parties on whose behalf the brief is filed; and
- ▶ The name, address, and telephone number of counsel representing the party for whom the brief is filed.

 Note: In cases designated "Complex," the cover of the brief should so indicate. See D.C. Circuit Handbook of Practice and Procedures § IX.A.6.

NUMBER OF COPIES OF BRIEFS TO BE FILED

For briefs filed electronically, the electronic version constitutes the 'original'.

Brief of Unrepresented Person Proceeding In Forma Pauperis	D.C. Cir. Rule 31(b)	One Original
Initial Brief When Utilizing a Deferred Appendix	D.C. Cir. Rule 31(b)	Original and 5 Copies
Final Brief When Utilizing a Deferred Appendix	D.C. Cir. Rule 31(b)	Original and 8 Copies
Final Brief When Not Utilizing a Deferred Appendix	D.C. Cir. Rule 31(b)	Original and 8 Copies
Public Brief When Containing Materials Under Seal	D.C. Cir. Rule 47.1(d)(1)	Original and 14 Copies
Sealed Brief When Containing Materials Under Seal	D.C. Cir. Rule 47.1(d)(1)	Original and 6 Copies

CONTENT OF BRIEFS

The brief must contain, under the appropriate headings, each applicable element listed below in the order shown

Certificate of Parties, Rulings Under Review, and Related Cases ▶ Including any corporate disclosure information pursuant to D.C. Cir. Rule 26.1	D.C. Cir. Rule 28(a)(1)	All Briefs Except Reply Briefs
Table of Contents	Fed. R. App. P. 28(a)(2)	All Briefs
Table of Authorities ▶ An asterisk (*) must appear in the left-hand margin next to those authorities on which the brief principally relies, together with a notation at the bottom of the first page of the table stating: "Authorities upon which we chiefly rely are marked with asterisks." If there are no such authorities, the notation must so state. ▶ Each page of the brief on which the authority is cited must be identified; <i>passim</i> or similar terms may not be used.	Fed. R. App. P. 28(a)(3); D.C. Cir. Rule 28(a)(2)	All Briefs
Glossary of Abbreviations	D.C. Cir. Rule 28(a)(3)	All Briefs
Jurisdictional Statement	Fed. R. App. P. 28(a)(4); Fed. R. App. P. 28.1(c)(2); D.C. Cir. Rule 28(a)(4)	Appellant's Briefs; Cross-Appellant's Briefs
Statement of Issues	Fed. R. App. P. 28(a)(5); Fed. R. App. P. 28.1(c)(2)	Appellant's Briefs; Cross-Appellant's Briefs
Statutes and Regulations ▶ Must be set forth either in the body of the brief following the statement of the issues presented for review or in an addendum introduced by a table of contents and bound with the brief or separately ▶ If in an addendum bound with the brief, the addendum must be separated from the body of the brief (and from any other addendum) by a distinctly colored separation page. ▶ If separately bound, a statement must appear in the body of the brief referencing the addendum. ▶ If contained in a brief previously submitted by another party, they need not be repeated but, if they are not repeated, a statement must appear under this heading as follows: "[Except for the following,] all applicable statutes, etc., are contained in the Brief for _____."	D.C. Cir. Rule 28(a)(5)	All Briefs
Statement of the Facts	Fed. R. App. P. 28(a)(7); Fed. R. App. P. 28.1(c)(2)	Appellant's Briefs; Cross-Appellant's Briefs
Summary of Argument	Fed. R. App. P. 28(a)(8); D.C. Cir. Rule 28(a)(6)	All Briefs
Standing	D.C. Cir. Rule 28(a)(7); Fed. R. App. P. 28.1(c)(2)	Appellant's Briefs; Cross-Appellant's Briefs
Statement of Identity, Interest in Case, and Source of Authority to File	Fed. R. App. P. 29(c)(3)	Amicus Curiae's Briefs
Argument ▶ Appellant must include a concise statement of the applicable standard of review for each issue.	Fed. R. App. P. 28(a)(9)	All Briefs

Conclusion Stating the Relief Sought	Fed. R. App. P. 28(a)(10); Fed. R. App. P. 28.1(c)(2)	Appellant's Briefs; Cross-Appellant's Briefs
Signature Block	Fed. R. App. P. 32(d)	All Briefs
Certificate of Compliance	Fed. R. App. P. 28(a)(11); Fed. R. App. P. 32(a)(7)(C)	All Briefs
Certificate of Service	Fed. R. App. P. 25(d)(2)	All Briefs

LENGTH OF BRIEFS & COVER COLORS

Headings, footnotes, and quotations count toward the word and line limitations, however, the certificate of parties, rulings under review, and related cases, corporate disclosure statement, table of contents, table of authorities, the glossary, any addendum containing statutes, rules or regulations, or evidence in support of the claim of standing, and any certificates of counsel do not count toward the length limitations.

Principle Brief of Appellant or Petitioner	Fed. R. App. P. 32(a)(2), (7)	Blue	30 Pages; 1,300 Lines; or 14,000 Words
Principle Brief of Appellee or Respondent	Fed. R. App. P. 32(a)(2), (7)	Red	30 Pages; 1,300 Lines; or 14,000 Words
Principle Brief of Intervenor	Fed. R. App. P. 32(a)(2), (3)	Green	19 Pages; 813 Lines; or 8,750 Words
Principle Brief of Amicus Curiae Appointed by the Court	D.C. Cir. Rule 29; Fed. R. App. P. 32(a)(2), (7)	Green	30 Pages; 1,300 Lines; or 14,000 Words
Principle Brief of Amicus Curiae Not Appointed by the Court	Fed. R. App. P. 29(d); Fed. R. App. P. 32(a)(2)	Green	15 Pages; 650 Lines; or 7,000 Words
Reply Brief of Appellant or Petitioner	Fed. R. App. P. 32(a)(2), (7)	Gray	15 Pages; 650 Lines; or 7,000 Words
Reply Brief of Intervenor in Support of Appellant or Petitioner	Fed. R. App. P. 32(a)(2), (3)	Gray	9 Pages; 407 Lines; or 4,375 Words
Reply Brief of Amicus Curiae Appointed by the Court	D.C. Cir. Rule 29; Fed. R. App. P. 32(a)(2), (7)	Gray	15 Pages; 650 Lines; or 7,000 Words
Reply Brief of Amicus Curiae Not Appointed by the Court	Fed. R. App. P. 29(f)	Gray	Brief Not Allowed Under the Rules
Supplemental Briefs	Fed. R. App. P. 32(a)(2)	Tan	Determined Per Order of the Court

CROSS-APPEAL BRIEFS

Principle Brief of Appellant or Petitioner	Fed. R. App. P. 28.1(d), (e)	Blue	30 Pages; 1,300 Lines; or 14,000 Words
Principle and Response Brief of Appellee or Respondent	Fed. R. App. P. 28.1(d), (e)	Red	35 Pages; 1,500 Lines; or 16,500 Words
Response and Reply Brief of Appellant or Petitioner	Fed. R. App. P. 28.1(d), (e)	Yellow	30 Pages; 1,300 Lines; or 14,000 Words
Reply Brief of Appellee or Respondent	Fed. R. App. P. 28.1(d), (e)	Gray	15 Pages; 650 Lines; or 7,000 Words